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SEP 24 2024

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

Jacob Barreras  
2211 E. Missouri Ave # 221  
El Paso, TX 79903

09/24/24

**Clerk of the Court**

**Re: Official Complaint for Declaratory, Injunctive, Monetary Relief, and Jury Trial Demand**

**Case No.:**

**Plaintiff:** Jacob Barreras

**Defendant:** Baxter Bailey & Associates and Adam Culpepper

### **NATURE OF THE ACTION**

This is an action for declaratory relief, injunctive relief, and monetary damages for violations of the Americans with Disabilities Act (ADA) against Baxter Bailey & Associates and Adam Culpepper.

### **PARTIES**

1. **Plaintiff:** Jacob Barreras, an individual at 2211 E. Missouri Ave # 221, El Paso, TX 79903, is a person with disabilities protected under the ADA.
2. **Defendant:** Baxter Bailey & Associates, a business entity engaged in a debt collection services, located at 6858 Swinnea Rd., Building # 4, Southaven, MS 38671.

### **JURISDICTION AND VENUE**

This Court has jurisdiction over this matter pursuant to the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., and 28 U.S.C. §§ 1331 and 1343. Venue is proper in this district as the events giving rise to this complaint occurred within this jurisdiction.

### **FACTUAL ALLEGATIONS**

1. On 09/24/24, I was contacted by Victory Packaging regarding a claim related to a shipment against Baxter Bailey and Associates. I contacted Mr. Culpepper that my company name is listed on the Bill of Lading and that the claim is over a year and a half old.
2. I disclosed to Mr. Culpepper that I am an American with disabilities and thus entitled to protections under the ADA. In response, Mr. Culpepper stated that he "does not care about my rights" and hung up on me.

3. I subsequently called back to request access to a managing member of the company. Again, Mr. Culpepper hung up on me, denying me access to necessary resources and assistance as mandated by the ADA.
4. I have recorded both calls and am prepared to present this evidence to substantiate my claims.

## CLAIMS FOR RELIEF

### Count I: Violation of the Americans with Disabilities Act

1. Defendant's actions constitute discrimination against the Plaintiff based on disability and a failure to provide reasonable accommodations as required by the ADA.
2. As a direct result of the Defendant's actions, I have suffered emotional distress and have been denied access to necessary services.

## PRAYER FOR RELIEF

WHEREFORE, I respectfully request that the Court enter judgment in my favor and against Victory Packaging, awarding the following relief:

1. **Declaratory Relief:** A declaration that Defendant's actions violate the ADA.
2. **Injunctive Relief:** An order requiring Victory Packaging to implement ADA compliance training and policies to prevent future violations.
3. **Monetary Relief:** Compensatory damages for emotional distress, suffering, and any other damages as the Court deems appropriate.
4. **Jury Trial Demand:** A trial by jury on all issues so triable.
5. **Any other relief:** That the Court deems just and proper.

## CONCLUSION

I request that this complaint be filed and that appropriate action be taken against Baxter Bailey & Associates and Adam Culpepper for their violations of my rights under the ADA. Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,



Jacob Barreras